**THE HON'BLE SRI JUSTICE**

**C.V.RAMULU**

W.P.No.8181 of 1997

Dated:24.1.2007

Between
M/s.Vinodilal Maloiram Jewellers
Charkaman, Gulzar House, Hyderabad
Rep., by Maliram

.....Petitioner

and

1.B.Sathaiah and others.

...Respondents

**THE HON'BLE SRI JUSTICE**

**C.V.RAMULU**

W.P.No.8181 of 1997

ORDER:

This writ petition is filed being aggrieved by the order passed by the Second Appellate Authority in S.A.No.2 of 1996 dated 6.12.1996 whereunder the order passed by the 1st Appellate Authority in S.E.No.14 of 1993 dated 7.11.1995 directing the petitioner-management to deposit an amount of Rs.15,750/- in favour of the 1st respondent was modified, enhancing the amount from Rs.15,750/-to Rs.21,070/-.

The petitioner is the appellant and 1st respondent is the employee. It appears that when the services of the 1st respondent were terminated illegally, he filed S.E.No.14 of 1993 on

the file of the 1st Appellate Authority under the Shops and Establishments Act, 1988. After an elaborate consideration of the material placed before it, the 1st Appellate Authority passed an order on 7.11.1995 granting an amount of Rs.15,750/- as service compensation including un-availed leave wages for 45 days and one month notice pay. The petitioner-management did not file any appeal against the said order passed by the 1st Appellate Authority. The 1st respondent-employee filed an appeal before the Second Appellate Authority under the Shops and Establishments Act, 1988 in S.A.No.2 of 1996. The Second Appellate Authority after an elaborate consideration of the matter held that the 1st respondent is entitled to an amount of Rs.21,070/- as service compensation and wages for 60

days of un-availed leave including one month's bonus. Aggrieved by the same, the petitioner-management has filed the present writ petition.

I have gone through the impugned order and other material made available on record.

The petitioner-management has not questioned the order passed by the 1st Appellate Authority in S.E.No.14 of 1993 dated 7.11.1995. The S.A is again filed by the employee. In the S.A an amount of Rs.5,000/- was enhanced. The enhancement of amount by the Second Appellate Authority does not seem to be unreasonable in the facts and circumstances of the case. Therefore, I am of the opinion that the Second Appellate Authority has not committed any error in enhancing the service compensation from Rs.15,750/- to Rs.21,070/-. Writ petition is devoid of

merits and the same is liable to be dismissed.

Writ petition is accordingly dismissed. No costs.

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24.01.2007

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